

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF CALIFORNIA

Order Instituting Rulemaking to Examine  
Electric Utility De-Energization of Power  
Lines in Dangerous Conditions.

Rulemaking 18-12-005

**COMMENTS OF THE PUBLIC ADVOCATES OFFICE  
ON PACIFIC GAS AND ELECTRIC COMPANY'S OCTOBER 10-11, 2021  
PUBLIC SAFETY POWER SHUTOFF POST-EVENT REPORT**

Pursuant to Pursuant to Decision 21-06-014,<sup>1</sup> the Public Advocates Office at the California Public Utilities Commission (Cal Advocates) submits its comments on Pacific Gas and Electric Company's October 10-11, 2021, Public Safety Power Shutoff (PSPS) Report (post-event report). A copy of the letter containing the Public Advocates Office's comments is attached as Attachment A of this filing.

Respectfully submitted,

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November 10, 2021

<sup>1</sup> D.21-06-014, *Decision Addressing the Late 2019 Public Safety Power Shutoffs by Pacific Gas and Electric company, Southern California Edison Company, and San Diego Gas & Electric Company to Mitigate the Risk of Wildfire Caused by Utility Infrastructure*, June 7, 2021, p. 236, issued in R.18-12-005 [parties must file comments in response to 10-day PSPS reports in R.18-12-005.]

## **ATTACHMENT A**

**PUBLIC ADVOCATES OFFICE**

PUBLIC UTILITIES COMMISSION

505 VAN NESS AVENUE

SAN FRANCISCO, CA 94102-3298



November 10, 2021

**Via Electronic Mail**

Leslie Lee Palmer  
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**Re: Public Advocates Office's Comments on  
PG&E's October 11-12, 2021 Public Safety Power Shutoff Report**

Director Palmer:

Pursuant to Decision (D.)19-05-042<sup>1</sup> and D.21-06-014,<sup>2</sup> the Public Advocates Office at the California Public Utilities Commission (Cal Advocates) provides the following comments on Pacific Gas and Electric Company's (PG&E) October 11 to 12, 2021 Public Safety Power Shutoff (PSPS) Report (post-event report). PG&E management has implemented a new notification policy that violates the Commission's rules. As a consequence of this unauthorized policy, PG&E failed to notify 586 critical facilities at the time of de-energization despite providing those facilities with earlier required notifications. An additional 21,480 customers received advance notice, but again were

<sup>1</sup> See *Decision Adopting De-Energization (Public Safety Power Shut-Off) Guidelines (Phase 1 Guidelines)*, issued June 4, 2019, p. 107 as modified by *Decision Adopting Phase 3 Revised and Additional Guidelines and Rules for Public Safety Power Shutoffs (Proactive De-Energizations) of Electrical Facilities to Mitigate Wildfire Risk Caused By Utility Infrastructure*, issued June 29, 2021 (D.21-06-034), which provides "affected stakeholders may serve comments on the electric investor owned utility's (the utilities') post-event report in order to inform [the Safety and Enforcement Division's] compliance review."

<sup>2</sup> See *Decision Addressing the Late 2019 Public Safety Power Shutoffs by Pacific Gas and Electric company, Southern California Edison Company, and San Diego Gas & Electric Company to Mitigate the Risk of Wildfire Caused by Utility Infrastructure*, issued June 7, 2021, p. 236 [parties must file comments in response to 10-day reports in R.18-12-005.]

not notified at the time of de-energization, as required by Commission rules.<sup>3</sup> The Safety and Enforcement Division (SED) and the Commission must hold PG&E management accountable for this failure.

## I. INTRODUCTION

On October 11, 2021, at approximately 6:00 a.m., PG&E de-energized 13 “Time-Places”<sup>4</sup> across 23 counties, which affected 23,504 customer accounts, including 1,738 Medical Baseline customer accounts and 660 critical facilities.<sup>5</sup> PG&E restored power to all customers by approximately 5:46 p.m. on October 12, 2021. The post-event report was subsequently submitted on October 26, 2021.

Resolution ESRB-8,<sup>6</sup> D.19-05-042, D.20-05-051,<sup>7</sup> D.21-06-014,<sup>8</sup> and D.21-06-034 establish de-energization guidelines for the electric utilities’ (the IOUs)<sup>9</sup> planning and execution of de-energization events.<sup>10</sup> PG&E’s October 11 to 12, 2021 de-energization event and its associated post-event report demonstrates improvement in PG&E’s identification of failures and immediate corrective actions when compared to PG&E’s 2019 and 2020 performance. Cal Advocates raises the following issue:

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<sup>3</sup> PG&E Public Safety Power Shutoff October 11 to 12, 2021 Post-Event Report, pp. 53-60.

<sup>4</sup> “A Time-Place (TP) is a portion of the PG&E grid that is electrically and geographically coherent and is forecast to experience consistent timing for severe fire weather.” PG&E Public Safety Power Shutoff August 17 to 19, 2021 Post-Event Report, p. 3, fn. 3.

<sup>5</sup> PG&E Public Safety Power Shutoff October 11 to 12, 2021 Post-Event Report, pp. 3-5.

<sup>6</sup> *Resolution Extending De-Energization Reasonableness, Notification, Mitigation and Reporting Requirements in Decision 12-04-024 to All Electric Investor Owned Utilities*, issued July 16, 2018, which provides at p. 5: “IOUs shall submit a report to the Director of SED within 10 business days after each de-energization event, as well as after high-threat events where the IOU provided notifications to local government, agencies, and customers of possible de-energization though no de-energization occurred.”

<sup>7</sup> *Decision Adopting Phase 2 Updated and Additional Guidelines for De-Energization of Electric Facilities to Mitigate Wildfire Risk*, issued June 5, 2020.

<sup>8</sup> *Decision Addressing the Late 2019 Public Safety Power Shutoffs by Pacific Gas and Electric Company, Southern California Edison Company, and San Diego Gas & Electric Company to Mitigate the Risk of Wildfire Caused by Utility Infrastructure*, issued June 7, 2021.

<sup>9</sup> These requirements apply to the CPUC’s jurisdictional electric corporations: Pacific Gas and Electric Company (PG&E), Southern California Edison Company (SCE), San Diego Gas & Electric Company (SDG&E), Liberty Utilities/CalPeco Electric (Liberty), Bear Valley Electric Service, a division of Golden State Water Company (Bear Valley), and PacifiCorp.

<sup>10</sup> The Phase 3 De-Energization Decision replaces SED’s “reasonableness review” (D.19-05-042, p. 107) with a “compliance review”, to determine whether the electric investor-owned utilities complied with applicable PSPS guidelines and rules separate from a finding of reasonableness by the Commission. See D.21-06-034, p. 24.

- PG&E continues to implement an unauthorized policy that denies customers advance PSPS notifications.

## II. DISCUSSION

### A. PG&E Continues to Implement an Unauthorized Policy and Deny Customers Advance PSPS Notifications.

For each event in the 2021 PSPS season, PG&E has implemented what it terms “a courtesy to prevent waking up the customers,” wherein PG&E does not send any PSPS notifications between 9:00 p.m. and 8:00 a.m.<sup>11</sup> In practice, this “courtesy” policy has resulted in PG&E’s failure to send tens of thousands of required notifications to its customers.<sup>12</sup>

The Commission established notification timelines in D.19-05-042, which require PG&E (and all electric utilities) to notify customers of an impending PSPS event within certain advance notice timeframes: 48 to 72 hours, 24 to 48 hours, 1 to 4 hours, and immediately before de-energization.<sup>13</sup> The Commission provided no exception to these timelines based on time of day or customer fatigue.<sup>14</sup>

In its September 20, 2021 report, PG&E considered the need to notify medical baseline customers who were not included in any prior notifications, despite its “courtesy” policy. For the October 11-12 event, it became evident that PG&E modified its unauthorized policy so that notifications scheduled between 9:00 p.m. and 8:00 a.m. are either sent at or around 9:00 p.m. or replaced with Warning Notifications. Warning Notifications warn the customer of a nearby PSPS event that is not expected to de-energize that customer, whereas Watch Notifications notify a customer that they will be de-energized. Both notification types include an estimated start time and duration for the event. As a consequence, the notification timelines have become confused and appear to conflict with the required notification timelines, described above.<sup>15</sup>

SED and the Commission must hold PG&E accountable for its unilateral modification of notification practices that violate Commission-established PSPS guidelines. In this case,

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<sup>11</sup> Cal Advocates Comment on PG&E Public Safety Power Shutoff September 20 to 21, 2021 Post-Event Report, pp. 39, 53.

<sup>12</sup> During the October 11 to 12 event, 22,188 notifications to customers 1-4 hours before de-energization were either not sent or sent early, at 5:35 pm on October 10, 2021. PG&E Public Safety Power Shutoff October 11 to 12, 2021 Post-Event Report, p. 57.

<sup>13</sup> D.19-05-042, pp. A8-9.

<sup>14</sup> Moreover, the Commission expressly found the “value of enabling the public to prepare for potential de-energizations outweighs any costs of ‘warning fatigue’.” D.21-06-034 Finding of Fact 27, p. 159.

<sup>15</sup> D.19-05-042, pp. A8-9.

each failure to notify a customer should constitute a separate violation of the Commission's rules and regulations. SED and the Commission should adopt and enforce a schedule of penalties against PG&E. PG&E should incur additional penalties for deliberately and willfully under-notifying its customers without Commission authorization and adequate justification. SED should conclude this aspect of PG&E's managements actions, as described in its post-event report, violates CPUC requirements and direct the "courtesy" policy to be stopped.

In its annual pre-season de-energization report,<sup>16</sup> PG&E should be required to provide more information on the balance it strikes between timely notification and warning fatigue, including on whether any gaps and redundancies exist between Time-Places and other divisions of its territory it uses to trigger automated notifications.

### **III. CONCLUSION**

Cal Advocates recommends that the Commission and SED consider the above issue when evaluating PG&E's compliance with the CPUC's de-energization and post-event report rules, guidelines, and regulations. PG&E and its officers must be held accountable for modifications to its notification policies that fail to comply with Commission regulations. The Commission must provide guidance on recurring notification issues, especially on balancing the spirit of the guidance with notification fatigue. However, for the unilateral modification of policy that results in under notification of a substantial number of customers, SED should conclude that PG&E violated Commission requirements and impose appropriate fines.

Respectfully submitted,

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CC: Service List in R.18-12-005

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<sup>16</sup> See D.21-06-034, p. A14: "Each electric investor-owned utility must file and serve its [current year] Pre-Season Report no later than July 1 of each year in R.18-12-005 or its successor proceeding."